



6p/ 3731
#4

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

Appln. Ser. No.:	Filed:	Inventor(s):	Atty Dkt:
10/066,081	January 31, 2002	Arnon Lambroza, M.D.	056301-5001 (2008-001)
Title: "Inflatable Tourniquet"			
Examiner: To Be Assigned			Art Unit: 3731

New York, New York

Assistant Commissioner of Patents
Washington, D.C. 20231

Sir:

RECEIVED

JAN 31 2003

INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. § 1.97(b)(3)

TECHNOLOGY CENTER R3700

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b)(3), Applicant brings to the attention of the Examiner the documents listed on the accompanying PTO-SB/08A Form. This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced application. Accordingly, no fee is believed to be due. Copies of the listed documents are enclosed. Applicant respectfully requests that the Examiner consider these documents and evidence consideration thereof by making appropriate notations on the accompanying PTO-SB/08A Form. The following documents are listed:

1. A page headed "84 - Fluids and Shock", copied from a textbook entitled, "Emergency Care in the Streets", Second Edition, by Nancy L. Caroline, M.D., published in September 1982 by Little, Brown and Company, Inc. Refer to item (11) on line 28 of



the subject Page which sets forth an illustrative prior art method for providing a Tourniquet. "To use a blood pressure cuff as a tourniquet, determine the systolic pressure first; then inflate the cuff to about 20 mm Hg below the systolic pressure, and clamp the tubing with Kelly forceps." This technique differs substantially from that of the claimed invention.


The approach described in "Emergency Care in the Streets" relies upon a specific "reference" pressure – namely, 20 mm Hg below the systolic pressure. Upon measuring that pressure, the tourniquet is clamped off. By contrast, applicant's invention does not rely upon any specific pressure as a "point of reference". Instead, applicant's invention monitors cardiac contraction pulses from a patient to determine an appropriate inflatable tourniquet pressure. This appropriate pressure lies in a range between the patient's diastolic and systolic blood pressure measurements and, more specifically, at or near a pressure value where a blood pressure indicating device indicates a maximum excursion from a first, relatively high, pressure measurement to a second, relatively low, pressure measurement. Such a maximum excursion does not necessarily take place at a fixed value of 20 mm Hg below the systolic pressure for all patients.

2. Synopsis of Venipuncture Course offered by e-CEUs.com.. A printout of this synopsis was obtained from the Internet at <http://www.e-CUEs.com>. This web page is dated September 2000. Referring to the first complete paragraph on a page erroneously labelled as "6 of 1", a technique for using a tourniquet to promote venous distention is described. Pursuant to this technique, "[w]hen using a blood pressure cuff, inflate the cuff to a point just above the systolic pressure of the patient. Do not leave the tourniquet on the patient for any length of time...". Indeed, one must take care to remove the tourniquet after a minute or so, because this approach effectively stops blood flow in the affected limb. Perhaps the author meant to say "at a point just below the systolic

RECEIVED

JAN 31 2003

TECHNOLOGY CENTER R3700



pressure", in which case the use of a fixed reference point is deficient for the same reason as was previously discussed in connection with reference (1).

This submission does not represent that a search has been made or that no better art exists, and does not constitute an admission that any of the listed documents are material, relevant, or constitute "prior art." If it should be determined that any of the listed documents do not constitute "prior art" under United States law, applicant reserves the right to present to the Office the relevant facts and law regarding the appropriate status of such documents. Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should any of the documents be applied against the claims of the present application.

RECEIVED

JAN 31 2003

TECHNOLOGY CENTER R3700



If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 08-2776.

Respectfully submitted,

Morgan, Lewis & Bockius LLP

Dated: January 21, 2003

By:

Steven R. Bartholomew

Reg. No. 34,771

Attorney No. 13986

101 Park Avenue

New York, NY 10178

Tel: (212) 309-2126

CERTIFICATE OF MAILING UNDER 37 CFR 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

Assistant Commissioner of Patents
Washington, D.C. 20231

Date: January 21, 2003

Signature

RECEIVED
JAN 31 2003
TECHNOLOGY CENTER R3700